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San Carlos Apache Regional Partnership Council

Governance Policy Manual

P R E F A C E

This document, initially adopted by the San Carlos Apache Regional Partnership Council On May 24, 2008, and updated periodically thereafter, constitutes the complete and official body of policies for the governance and operation of the San Carlos Apache Regional Partnership Council.

DISCLAIMER

ALL POLICIES FOUND IN THIS GOVERNANCE POLICY MANUAL ARE SUBJECT TO CHANGE FROM TIME TO TIME AS APPROVED BY THE REGIONAL PARTNERSHIP COUNCIL. THE FIRST THINGS FIRST REGIONAL OFFICE DISSEMINATES HARD COPIES OF ADDITIONS/REVISIONS NOT MORE THAN TWICE EACH YEAR. THE WEB COPY, LOCATED AT [HTTP://WWW.AZECDH.GOV](http://www.azecdh.gov) IS UPDATED AS NEEDED FOLLOWING APPROVAL BY THE REGIONAL PARTNERSHIP COUNCIL. PRIOR TO ACTING IN RELIANCE UPON A SPECIFIC COUNCIL POLICY AS IT APPEARS IN ANY COPY OF THE GOVERNANCE POLICY MANUAL, PLEASE CHECK TO MAKE SURE THAT THE COUNCIL HAS NOT RECENTLY APPROVED ANY ADDITIONS OR REVISIONS TO THAT SPECIFIC POLICY.

INTERIM CONTACT INFORMATION

First Things First

San Carlos Apache Regional Partnership Council

1600 Ash Street, Suite 2

Globe, AZ 85501

Phone: (928) 425-8172

Fax: (928) 425-3129

Contact Person: Beverly Russell, San Carlos Apache Regional Coordinator

Email: Beverly.russell@azecdh.gov

1-101 ORGANIZATION, AUTHORITY AND LOCATION

The San Carlos Apache Regional Partnership Council (herein "the Council") is established as a result of a ballot initiative, Proposition 203, which was approved by voters in November 2006. The purpose, authority, powers and duties of the Council are included in A.R.S. Title 8, Chapter 13 as well as in other statutes and laws of the State of Arizona. The Council is appointed by the Arizona Early Childhood Development and Health Board and assisted in the performance of its duties by staff employees known as the First Things First Staff. The interim San Carlos Apache Regional Office is located in Globe, Arizona. The office is maintained by the Regional Staff.

Adopted: May 24. 2008

1-102 DEPARTURE FROM REGIONAL COUNCIL POLICY

- A. Persons desiring to depart from the policies adopted by the Regional Council shall submit a request in writing to the Chairperson of the Regional Council
- B. No departure from Regional Council policy shall be permitted without the approval of the Regional Council

1-103 MEETINGS OF THE REGIONAL COUNCIL

The Regional Council shall adopt a calendar of regular meetings of the Regional Council prior to the beginning of each fiscal year. The Chairperson or any four members of the Regional Council may at any time call a special meeting of the Regional Council. To call a special meeting the Chairperson, or any four members of the Regional Council that wish to call such meeting, should contact the regional coordinator with their intentions to ensure that the meeting arrangements and/or announcements can be made accordingly.

A majority of the membership of the Regional Council shall constitute a quorum for the transaction of business at any meeting of the Regional Council, but a number less than a quorum may adjourn from time to time. Regional Council members may participate at any meeting in person, by teleconference, and/or by videoconference provided that all members may hear one another.

Public notice of all meetings of the Regional Council shall be provided in accordance with the requirements of law. In addition, written notice shall be provided to each member of the Regional Council. All notices required by this policy shall at least specify the time, date and place of the meeting. The Regional Coordinator shall post a meeting notice including but not limited to the following public areas: the San Carlos Education office, the Tribal Administration offices in San Carlos and Bylas, Bashas, San Carlos Apache Cable posting, the San Carlos School District office all facilities and any other place deemed appropriate.

Written notice of any regular meeting of the Regional Council, plus the agenda and all material relating to agenda items, shall be transmitted to each member of the Regional Council at each

member's last known place of residence or other designated address by the quickest and most reliable method at least ten days prior to the date of such meeting. Amendments to the agenda and additional supporting materials, not previously available, shall be transmitted at least three days prior to the scheduled meeting. Except with the approval of three-fourths of the voting members in attendance at a meeting, and if permitted by law, no action shall be taken by the Regional Council on any matter where material is not timely submitted in accordance with this policy.

Special meetings may be held upon such notice to the members of the Regional Council as is appropriate to the circumstances and upon such public notice as is required by law. Special meetings may be held by teleconference and/or videoconference. All material relating to special meeting agenda items shall be transmitted to each member of the Regional Council at least 24 hours in advance of meeting.

1-104 MEETING PROCEDURES

The rules contained in the current edition of Robert's Rules of Order Newly Revised (available online at <http://www.rulesonline.com/>) shall guide the deliberations of the Regional Council in all cases to which they are applicable and in which they are not inconsistent with these Regional Council policies and special rules of order the Regional Council may adopt, and with any applicable statutes.

The order of business for any regular meeting of the Regional Council shall be in accordance with the written agenda prepared for the meeting. Such agenda shall provide for both an executive session and open session in accordance with requirements of law. The open session portion of the agenda shall provide at least for the following:

1. Call to order
2. Call to the public
3. Approval of minutes of prior regular or special meetings if not included on consent agenda
4. Matters presented by the First Things First Regional Coordinator
5. Adoption of all consent agenda items
6. Matters presented by the chairs of standing committees of the Regional Council

7. Reports, if any, from ad hoc or special committees appointed by the Regional Council
8. Announcements and adjournment

Routine matters listed in the open session portion of the agenda for a regular meeting of the Regional Council may be grouped together and decided by the Regional Council without discussion or debate. Such matters shall be designated as "Consent Agenda Items." Any member of the Regional Council may request discussion or debate on any individual item listed as a Consent Agenda Item, and the matter shall be considered and decided separately at such time in the meeting as may be directed by the Chairperson.

During the course of any regular meeting of the Regional Council, the Chairperson shall act as presiding officer and all motions shall be directed to the Chairperson. However, the Chairperson may delegate to the chair of each respective standing committee the responsibility for chairing discussion of items presented to the Regional Council by that chairperson. Whenever a matter before the Regional Council is deferred for further discussion, the Chairperson may assign the matter to an appropriate committee, schedule the matter for further consideration at a future meeting of the Regional Council, or take other appropriate action, and may otherwise direct the Regional Staff with respect to the matter.

All meetings of the Regional Council are open to the public except for executive sessions. The Regional Council reserves the right, however, to maintain order to prevent interference by any member or members of the public with the conduct of its meetings.

1-105 CALL TO THE PUBLIC PROCEDURE

During each Regional Council meeting, the Regional Council conducts a "Call to the Public" when members of the public may address the Regional Council. Speakers who wish to address the Regional Council:

- Must turn in a signed request (using the form provided at the Regional Council meeting) to the Regional Coordinator. Any written materials for the Regional Council should be included with this request.
- Are given up to three minutes to make their remarks.

The following priority will be given to speakers during "Call to the Public":

1. Matters scheduled on the same meeting's agenda.
2. Other matters; presenters who haven't address the Regional Council in the previous two months.

The Regional Council retains its prerogative to:

- Refuse to hear comments on a specific issue if a public comment session has been held on the issue.
- Limit the time or the number of speakers on the same issue.
- Refuse to have letters read *on behalf of other individuals*.
- Include on the meeting agenda a statement outlining the Regional Partnership Council's policy statement regarding the Call to the Public portion of their meetings.

If speakers have comments that are too long for the time allowed, or if members of the public would like materials distributed to the Regional Council, written materials may be provided to the Regional Coordinator. All written materials are distributed to and given consideration by the Regional Council.

Because of the diversity of issues presented during "Call to the Public," Regional Council members generally do not respond to speakers during this comment period. The speaker's concerns are recorded and may be referred to the appropriate staff for follow-up. The Regional Council is informed of the outcomes of the staff efforts to respond to the speaker's concerns.

1-106 MINUTES OF MEETINGS OF THE REGIONAL COUNCIL

Minutes of all meetings of the Regional Council shall be created and maintained in accordance with the requirements of law. The Regional Council may incorporate by reference into its minutes lists of staff changes, reports, lists of budget information, formal written resolutions and other material of similar import, and such material shall be maintained in a permanent file to be designated as the "San Carlos Apache Regional Partnership Regional Council's Documents File," which shall be kept in the custody of the Regional Coordinator and available for ready reference.

Each member of the Regional Council shall be furnished with copies of the minutes of the open session portion of each regular and special meeting of the Regional Council. Members of the Regional Council shall be furnished with copies of the minutes of the executive session portion of any meeting of the Regional Council for the purpose of approving those minutes, after which all copies shall be returned to the Regional Coordinator.

All minutes of the open session portion of any meeting of the Regional Council shall be open to public inspection during regular business hours at the First Things First Regional Office located at 1600 Ash Street, Suite 2, Globe, Arizona 85501. Minutes of executive sessions shall be kept confidential except from members of the Regional Council or as otherwise required by law. Copies of minutes or excerpts from any minutes of the open session portion of any Regional Council meeting or from any executive session, if the law permits such disclosure, may be furnished by the Regional Coordinator. If such minutes have not yet been approved by the Regional Council, they shall be marked "Draft."

1-107 COMMITTEES AND SUBCOMMITTEES

The Regional Council may establish and maintain standing committees composed of members of the Regional Council appointed by the Chairperson. The Chairperson will serve as an ex officio member of all standing committees.

Standing Committees may meet either apart from regular meetings of the Regional Council and provide a report to the Regional Council of business conducted, or may meet as a committee of the whole during the course of a regular Regional Council meeting. All members of the Regional Council attending a standing committee meeting are eligible for voting on standing committee matters.

The Chairperson of the Regional Council may establish such other ad hoc or special committees as the Chairperson deems necessary or advisable. The Chairperson shall appoint the membership of such committees, which may, but need not, include members of the Regional Council, and shall designate the matters to be considered by said committees. All such committees shall act as advisory bodies to the Regional Council and report their recommendations to the Regional Council.

All such standing, ad hoc or special committees shall hold and conduct their meetings in accordance with requirements of law. The chair of each such committee shall be its presiding officer and shall set the time, date and place of the meetings.

The Executive Committee shall be a standing committee of the Regional Council. Its members shall include the Chairperson, Vice-Chairperson and the chairs of any other Standing Committees established by the Regional Council. Unless otherwise directed by the Chairperson, the Chairperson will preside over the Executive Committee. If the law permits, the Regional Council may delegate a specific decision-making authority to the Executive Committee from time to time. In addition, if a matter is deemed to be urgent by the Chairperson, the Executive Committee may be convened for specific decision-making, subject to adoption at a subsequent regular meeting of the Regional Council.

1-108 REGIONAL COUNCIL OFFICERS AND THEIR DUTIES

At the first regular meeting of the Regional Council following May 1 of each fiscal year beginning in 2008, the Regional Council shall elect a Chairperson and Vice-Chairperson from among the appointed members to serve for the ensuing fiscal year beginning July 1, who shall hold office for twelve months and until successors are duly elected. The election shall be by ballot or by an official voice vote of the Regional Council.

In the absence of good reason to the contrary, it shall be the Policy of the Regional Council, in nominating members to serve as its Chairperson and Vice Chairperson, to nominate members who have previously served as a member of the executive committee to help ensure greater past experience on the Regional Council. Notwithstanding the previously stated preference for experience, the Regional Council may nominate any appointed member for its Chairperson and Vice-Chairperson. A majority vote of the appointed members of the Regional Council shall be required to elect.

It shall be the duty of the Chairperson to preside over the meetings of the Regional Council, to call meetings as herein provided, to serve as an ex officio member of all committees of the Regional Council, and to perform such other duties as are set forth in these policies or as shall be vested in the Chairperson.

It shall be the duty of the Vice-Chairperson to assume the duties of the Chairperson in the absence of the Chairperson. The Vice-Chairperson does not automatically succeed the Chairperson. Both the Chairperson and the Vice-Chairperson are eligible for reelection.

1-109 COMMUNICATIONS TO OR FROM THE REGIONAL COUNCIL

The San Carlos Apache Regional Partnership Council believes that maintaining open communication and fostering trust with the tribal government, referred to as the San Carlos Apache Tribal Council, is very important. The San Carlos Apache Regional Partnership Council is committed to attending and providing a report to the Tribal Council on a monthly basis through the tribe's official education committee. The Regional Coordinator will attend the monthly tribal education committee meeting and provide a verbal presentation and written report on behalf of the Regional Partnership Council.

Additionally, if the need arises or by request from the tribal government, the Regional Partnership Council Chair, Vice Chair or any Council Member designated by the Chair, may attend and present at a San Carlos Apache Tribal Council meeting.

The San Carlos Apache Regional Partnership Council will communicate with all community entities, including the Education Department, the San Carlos Unified School District, the tribal Health and Welfare Committee and any other interested party by ensuring that all meeting notices are posted throughout the San Carlos Apache community.

Communications from the Regional Council to members of the legislature, the press and the public should, whenever possible, be transmitted by and through the Chairperson of the Regional Council. Inquiries in regard to matters upon which the Regional Council has taken, or probably will take a position, should be referred to the Chairperson or the Regional Coordinator.

There will be cases when an individual member of the Regional Council will feel obligated to answer inquiries. In these cases, the member of the Regional Council expressing an opinion as to matters upon which the Regional Council has taken a position should support the position taken by the Regional Council or make it perfectly clear that he or she is expressing an opinion that has not been approved by the Regional Council.

1-110 LOBBYING

The Regional Council recognizes and appreciates the privilege each individual in this State and nation has to express his or her opinion and to seek to make that opinion known to members of Tribal Government, Congress, and State legislature. The Regional Council also recognizes the responsibilities with which it has been entrusted in connection with the operation of the early childhood development and health system and the advancement of early childhood development and health programs in the State of Arizona and recognizes that on occasion the interests of the Regional Council will not coincide with the interests of individual members of the Regional Council.

In approaching members of Tribal Council, State legislature or members of Congress, members of the Regional Council shall make every effort to indicate clearly that the position they take is an individual position or is the position of a group other than the Regional Council. In instances in which the Regional Council has taken an official position, the member endorsing a differing position shall make it clear to any legislative body that the Regional Council has endorsed a different or contrary position.

The disbursement or allocation of State funds shall determine prior to disbursement or allocation that such funds will not be used for purposes of influencing legislation or Tribal Council Members.

Only the Chairperson of the Regional Council or his or her designated delegate shall speak for the Regional Council to members of the legislature in matters relating to policy. In responding to members of congress, Tribal Council members or State legislators, Regional Council members shall make every effort to accurately communicate official Regional Council positions. In matters for which the Regional Council hasn't taken an official position, Regional Council members should indicate clearly that the position they take is an individual position or is the position of a group other than the Regional Council.

This policy is not intended to nor shall it be enforced so as to restrict rights guaranteed to individual employees or Regional Council members but is an attempt only to separate the views

of those individuals from positions which the Regional Council may take in attempting to discharge its responsibilities under the statutes of the State of Arizona.

1-111 CONFLICT OF INTEREST

Regional Council members and employees shall comply with the conflict of interest provisions of A.R.S. Title 38, Chapter 3, Article 8. These statutes set the minimum standards expected of public officers and employees who, in their official capacities, are faced with a decision or contract that might affect their direct or indirect pecuniary or proprietary interests or those of a relative. Section 38-503 provides in part:

Any public officer or employee of a public agency who has, or whose relative has, a substantial interest in any contract, sale, purchase or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale, purchase or service.

Any public officer or employee who has, or whose relative has, a substantial interest in any decision of a public agency shall make known such interest in the official records of such public agency and shall refrain from participating in any manner as an officer or employee in such decision.

Under this law, a Regional Council member or employee who has a conflict of interest must disclose the interest and refrain from participating in the matter. Regional Council members and employees may find guidance on this subject in the Arizona Agency Handbook, which is available on the Attorney General's website at

http://www.azag.gov/Agency_Handbook/Agency_Handbook.html. Public officers and employees should review conflicts of interest matters not specifically addressed in the Handbook with their supervisors or legal counsel.

In addition to complying with the conflict of interest provisions of Title 38, Chapter 3, Article 8, no Regional Partnership Regional Council member shall vote on, or participate in the discussion of, any grant proposal in which any entity by which they are employed or on whose Regional Council they serve has a substantial interest, as defined by Section 38-502.

In addition to complying with the conflict of interest provisions of Title 38, Chapter 3, Article 8, all Regional Council members and employees shall complete a Conflict of Interest Statement upon adoption of this policy and annually thereafter on a form to be provided by the central office staff. These forms will be reviewed by the First Things First Executive Director and legal counsel for resolution or mitigation of potential conflicts of interest. Any potential conflicts of interest that cannot be resolved or mitigated satisfactorily will be placed on the Early Childhood Development and Health Board's upcoming agenda for disclosure purposes and to help ensure compliance with the conflict of interest laws. In addition, the Executive Director will prepare a summary report of the Conflict of Interest Statements filed each year for Regional Council review.

The Conflict of Interest Statement prepared annually by the Executive Director will be reviewed by the Regional Council.

1-112 AMENDMENTS

These policies shall not be added to, amended, or repealed except at a meeting of the Regional Council and by public vote of a majority of all voting members of the Regional Council. Any proposed addition, deletion, or amendment shall be filed with the Regional Coordinator, in writing, at least 10 days before such meeting, and it shall be the duty of the Regional Coordinator to promptly distribute a copy to each member of the Regional Council.

Amendments to Regional Council policy will require a two-step process to adopt: 1) the draft policy change will receive a *first reading* at a public meeting, during which Regional Council members may discuss the draft amendment and request that staff make changes as deemed appropriate (a vote to adopt is not taken at this stage) and 2) the draft policy change will receive a *second reading* at a subsequent public meeting during which the Regional Council may direct staff to make further changes or may vote its adoption.

Adopted: May 24, 2008